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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,435	07/02/2003	Tsuneichiro Takahashi	030795	1443

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ARMSTRONG, WESTERMAN & HATTORI, LLP  
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EXAMINER
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HANNETT, JAMES M

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/611,435	<b>Applicant(s)</b> TAKAHASHI ET AL.	
	<b>Examiner</b> James M. Hannett	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☐ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/19/06, 3/6/06, 12/1/03, 7/2/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Camera with a temporary delete folder for storing images that are deleted when the memory card becomes full.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**1:** Claims 1, 3 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN

7,116,361 B2 Baron.

**2:** As for Claim 1, Baron teaches on Column 4, Lines 50-55 and on Column 5, Lines 25-28 a data recording device being adapted to record a series of image data or voice data (Column 7, Lines 52-55) in a memory as a file, and to manage a plurality of files recorded in the memory with a predetermined directory structure. Baron teaches on Column 1, Lines 52-67 that in prior art systems, when a file is transferred to a computer it would be automatically deleted to remove the files from memory. However, Baron teaches on Column 2, Lines 1-30 archiving these file in a specific archive directory as indicating to the camera memory system that the files stored in the

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archived directory can be deleted if the memory becomes full. Therefore, marking the transferred images as archived and storing them in the archived directory specifies a file to be deleted.

Furthermore, this process occurs from user manipulation. Furthermore, the act of archiving places the files in a directory that specifies that the files can be deleted. Baron teaches on Column 5, Lines 2-32 that when an image is indicated as being archived, the image will be moved to a directory reserved for archived image data elements. Therefore, Baron teaches a file mover for moving the file to be specified as deleted (archived) to a predetermined temporary delete folder (archived folder), Baron depicts in Figure 2 and teaches on Column 3, Lines 10-50 a judge (202) for, in recording data, calculating remaining capacity of record area of the memory and judging whether the series of data to be recorded can be recorded. Baron depicts in Figure 2 and teaches on Column 3, Lines 39-67 a first data writer (208) for writing the series of data (image data) to the recording area (memory) when the judge (202) determines that the series of data (image) can be recorded. Baron depicts in Figure 2 and teaches on Column 5, Lines 34-50 second data writer (212) for deleting at least one file included in the temporary delete folder (archived image directory) to enlarge the recording area. Baron depicts in Figure 2 that after the Judge (202) determines that there is not sufficient memory to store the image, archived images are deleted at step (212) and then the process is returned to step (202). Therefore, the series of data (image data) is writing to the recording area (memory 208) when the judge (202) determines that the series of data cannot be recorded.

3: As for Claim 3, Baron teaches on Column 4, Lines 10-31 assigning a filename of each image. Therefore, Baron teaches file name grantor for granting a file name including a file number as increased every time the series of data (image data) is recorded to the memory. Baron

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teaches on Column 5, Lines 34-50 the second data writer (212) deletes a file in order of file number in enlarging the recording area.

4: As for Claim 7, Baron teaches on Column 5, Lines 25-27 that the archived (marked for deletion images) are placed in a directory or subdirectory that is reserved for archived image data elements (bound by a standard). Baron further teaches on Column 4, Lines 50-55 directories that are reserved for images that have not been archived (bound by a second standard). Therefore, Baron teaches two distinct types of directories. Therefore, Baron teaches the temporary delete folder (archived image folder) is provided at a directory position which is reserved for archived image data elements. The examiner views the process of creating a directory that is only for archived images and does not store non-archived images as having a distinct standard that is not followed by the other directories. Therefore, the archived image folder is not bound by a standard to be followed by a predetermined directory structure (directory structure for non-archived images)

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5: Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 7,116,361 B2 Baron in view of USPN 6,345,318 B1 Gamon.

6: In regards to Claims 4 and 5, Baron teaches the use of a camera system that stores images to be deleted in a temporary directory and marks the images as archived. However, Baron does

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not teach the method of providing the camera with the ability to allow the camera user to restore the images in the archive directory to the directory they were in prior to archiving.

Gamon teaches on Column 1, Lines 65-67 and Column 2, Lines 1-4 and on Column 7, Lines 30-39 that it was advantageous when designing file systems with a temporary delete folder such as a recycle bin to enable the file system with the capability to provide the user of the file system with a restore operation that enables the camera user to restore any files that were previously marked for deletion to their prior directories. Gamon teaches that this is advantageous because it enables a user to restore a file that the user later decides is needed, therefore preventing erroneous erasing of data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera system of Baron with the file restoring function as taught by Gamon in order to allow a user of the camera of Baron to restore any files that were previously marked for deletion to their prior directories and file names if the user later decides that the file is needed and therefore preventing erroneous erasing of data.

7: In regards to Claim 6, Baron further teaches on Column 5, Lines 2-32 that when an image is indicated as being archived, the image will be moved to a directory reserved for archived image data elements and can also in conjunction have the file name changed as taught on Column 5, Lines 28-30 and on Column 4, Lines 15-30. Therefore, Baron teaches a file mover for moving the file to be specified as deleted (archived) to a predetermined temporary delete folder (archived folder) and the file mover changes an extension (file name) of the file to be specified as deleted (adds a “\_” to the file name as depicted in Table 1) to a specific extension in moving the file to the temporary delete folder.

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Furthermore as stated above, Gamon teaches on Column 1, Lines 65-67 and Column 2, Lines 1-4 and on Column 7, Lines 30-39 that it was advantageous when designing file systems with a temporary delete folder such as a recycle bin to enable the file system with the capability to provide the user of the file system with a restore operation that enables the camera user to restore any files that were previously marked for deletion to their prior state. Therefore, Baron in view of Gamon teaches restoring the image files to the proper directories with the proper file names. This is viewed by the examiner as changing an extension of a file to be specified as restored to the original extension in restoring the file from the temporary delete folder.

***Allowable Subject Matter***

9: Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2002/0051065 Takahashi teaches a data file management system for a camera; US 2004/0179115 Tomat et al teaches a system to manage images in a digital camera; USPN 7,075,570 Nagaoka teaches a method for processing files.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hannett whose telephone number is 571-272-7309. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett  
Examiner  
Art Unit 2622



JMH  
January 22, 2007